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7 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
8 **OF THE STATE OF WASHINGTON**

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10 IN RE THE MATTER OF ENFORCEMENT
ACTION AGAINST

11 DON BIVENS, MARILYN WESTLAKE,
12 AND MARTY JAMES,

13 Respondents.
14
15

PDC CASE NO. 02-286

WITNESS/EXHIBIT LIST OF
RESPONDENT MARTY JAMES,
CLARK FIRE DISTRICT #5
ADMINISTRATOR

16 COMES NOW the Respondent Marty James, by and through his counsel, and
17 respectfully submits the following Witness and Exhibit List for the hearing scheduled on
18 March 31, 2005.

19 **I. LIST OF WITNESSES:**

20 1.1 Marty James, Respondent – will testify to the history and purpose of News @ Five
21 newsletter, his conversations with others regarding publication of such newsletters, and other
22 relevant matters.

23 Respondent James reserves the right to call any witness identified by the other parties
24 herein, and the Witness List of the petitioner and respondents are hereby adopted as if fully set
25 forth herein.
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1 **II. LIST OF EXHIBITS**

- 2 2.1 50 Years of Five, 2004
3 2.2 News @ Five, March 2003
4 2.3 News @ Five, September 2002
5 2.4 News @ Five, September 2001
6 2.5 News @ Five, Fall 2000
7 2.6 News @ Five, Fall/Winter 1997
8 2.7 News @ Five, Fall/Winter 1996
9 2.8 News @ Five, Fall/Winter 1995
10 2.9 News @ Five, Winter/Spring 1994
11 2.10 News @ Five, Fall/Winter 1994
12 2.11 News @ Five, Spring/Summer 1993
13 2.12 News @ Five, Fall/Winter 1993
14 2.13 News @ Five, Fall/Winter 1992
15 2.14 5 Alarmer, July 1992
16 2.15 News @ Five, Spring/Summer 1991
17 2.16 News @ Five, Fall/Winter 1991
18 2.17 News @ Five, Winter 1990
19 2.18 News @ Five, Spring/Summer 1990
20 2.19 News @ Five, Spring/Summer 1989
21 2.20 News @ Five, Fall/Winter 1989

22 (Copies of the foregoing Exhibits are not included herein to avoid duplication.

23 Repondent James understanding is that all such materials are included in the Exhibits of
24 respondents Bivens and Westlake.)

25 Respondent James reserves the right to use or introduce any exhibit identified by the
26 other parties herein, and the Exhibit List of the petitioner and respondents are hereby adopted

1 as if fully set forth herein. Respondent further reserves the right to use visual or demonstrative
2 summaries, charts, or diagrams in aid of argument at the hearing.

3 **III. DECLARATIONS**

4 Respondent James will not introduce any declarations.

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6 Respectfully Submitted this 23rd day of March, 2005.

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9 Thomas Burke WSBA# 6577
Attorney for Respondent Marty James